

ALISHA EASTEP, surviving spouse of)
MR. KEVIN EASTEP,)
)
Plaintiff,)
)
v.) No. 05-3107-CV-S-FJG-SSA
)
JO ANNE B. BARNHART,)
Commissioner, Social Security)
Administration)
)
Defendant.)

Currently pending before the Court is plaintiff's Application for Attorney Fees Pursuant to The Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. (Doc. # 11). Plaintiff has requested reimbursement in the amount of \$3,426.25 for attorney fees, which represents 25.10 hours at the rate of \$125.00 per hour and 4.3 hours of paralegal time at the rate of \$62.50 per hour. Plaintiff has also requested reimbursement in the amount of \$250.00 for payment of the filing fee. Defendant states that after discussions with plaintiff's counsel, they have agreed to an award of fees in the amount of \$3,395.00, representing 25.10 of attorney work and 4.0 hours of paralegal work. Defendant does not object to reimbursement of the filing fee, but notes that the filing fee is a cost which is distinguished from an expense under the EAJA, 28 U.S.C. § 2412(a). Defendant agrees that plaintiff should be compensated for the filing fee of \$250.00 from the Judgment Fund administered by the United States Treasury.

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GRANTED, and counsel shall be awarded payment of \$3,395.00 in attorney fees, pursuant to 28 U.S.C. § 2412, payable to the Law Office of Larry J. Pitts, P.C. and the \$250.00 cost shall be reimbursed to plaintiff from the Judgment Fund, made payable to Alisha Eastep.

Date: October 19, 2005
Kansas City, Missouri

S/ FERNANDO J. GAITAN JR.
Fernando J. Gaitan Jr.
United States District Judge